

Filed on behalf of: Junior Party THOMAS

By: Robert W. Hahl, lead counsel
Richard A. Neifeld, backup counsel
4813-B Eisenhower Avenue
Alexandria, VA 22304, USA
Telephone: (703) 415-0012 ext. 100
Facsimile: (703) 415-0013
Email: rneifeld@neifeld.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS THOMAS and ALAN E. THOMAS
Junior Party
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. PIPPIN
Senior Party
(Application 10/464,482).

Patent Interference No. 105,802 (JL)
(Technology Center 2100)

NOTICE OF APPEAL/REVIEW

1 **I. APPEAL TO THE COURT OF APPEAL FOR THE FEDERAL CIRCUIT**

2 In accordance with 35 USC § 141 and 37 CFR § 1.301, Applicants elect to APPEAL to
3 the United State Court of Appeals for the Federal Circuit for the following orders, decisions
4 and/or judgments of the Board of Patent Appeals and Interferences in Patent Interference No.
5 105,802, including: (i) Order – Decision on Motions, entered September 19, 2012; and (ii)
6 Judgment – Merits – Bd. R. 127, entered September 19, 2012.

7 In accordance with 35 USC § 142, Bd. R. 41.8(b) and SO ¶ 8.3, please find enclosed a
8 copy of the Notice of Appeal/Review to the Court of Appeals for the Federal Circuit, and
9 accompanying papers, filed by Thomas on November 19, 2012.

10 Respectfully submitted,

11
12 /Robert W. Hahl/
13 Robert W. Hahl
14 Lead counsel for Thomas
15

16
17 Lead Counsel:
18 Robert Hahl, Neifeld IP Law, PC.
19 Mailing and courier address:
20 Neifeld IP Law, PC
21 4813-B Eisenhower Avenue
22 Alexandria Virginia 22304
23 Tel: 703-415-0012 extension 103
24 Fax: 703-415-0013
25 Email: rhahl@neifeld.com
26

27 Back-up Counsel:
28 Richard Neifeld
29 Mailing and courier address:
30 Neifeld IP Law, PC
31 4813-B Eisenhower Avenue
32 Alexandria Virginia 22304
33 Tel: 703-415-0012 extension 100
34 Fax: 703-415-0013
35 Email: rneifeld@neifeld.com

1 **37 CFR 1.646(e) CERTIFICATE OF SERVICE**

2
3 I certify that, on or about the date and time specified below, a copy of this paper (and any
4 accompanying documents) was served on the individuals listed below at their addresses listed
5 below by the highlighted method:

- 6 1. 37 CFR 1.646(c)(4) - first class mail;
7 2. 37 CFR 1.646(c)(5) - express mail; or
8 3. Standing Order ¶16 next business day courier service.
9 4. Standing Order ¶105.3 – Interference web portal
10 5. Standing Order ¶105.3 - email

11
12 TO:
13 R. Danny Huntington, Esq., (Registration No. 27,903)
14 ROTHWELL, FIGG, ERNST & MANBECK, PC
15 1425 K Street, N.W.
16 Washington, DC 20005
17 Telephone: (202) 783-6040
18 Facsimile: (202) 783-6031
19 E-mail: dhuntington@rothwellfigg.com
20
21
22

23 DATE OF SERVICE (SO 105.3): November 19, 2012
24

25 /Robert W. Hahl/
26 Robert W. Hahl
27 Lead counsel for Thomas
28